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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/022,979	02/12/1998	MITSUO NIIDA	35.C12549	6329

5514 7590 02/06/2003

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NEW YORK, NY 10112

EXAMINER

JONES, PRENELL P

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 02/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/022,979

Applicant(s)
Niida et al

Examiner
Prenell Jones

Art Unit
2664



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 13, 2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28, 32-35, 42, and 46-57 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28, 32-35, 42, and 46-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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Claim Rejections - 35 U.S.C. § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 28, 32-35, 42 and 46-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al in view of Satoh et al and Ellenby et al.

Regarding claims 28, 42, 46 and 52, Suzuki discloses (Abstract, Figs. 20a & 20b, col. 18, line 8 thru col. 19, line 11) a Image data apparatus that consist of multiple interfaces, control unit, mode switch whereby the switching mode switches between various interfaces, thereby when one interface is selected, its mode is active and the over interfaces are in a standby (passive) mode. Suzuki is silent on interfaces being associated with communication standards and a first/second interface. In analogous art, Satoh discloses (Abstract) an electronic imaging apparatus that includes a switch for causing a communication means to

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start a communication mode, (col. 4, line 46-64, col. 41, line 65 thru col. 42, line 13) a first/second interface, interface recognition for functioning status of the applied interface and a control means for controlling data, (col. 9, line 59 thru col. 10, line 65) switch used for indicating what mode the camera is in, and Ellenby discloses (Abstract) imaging processing system for capturing digital images wherein the architecture includes multiple interfaces such as (col. 5, line 36 thru col. 6, line 20, col. 7, line 64 thru col. 7, line 19) IEEE 1394, RS232 and RS422 for providing communication connection. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement protocols standards associated with interfaces as a communication medium in a communication system as taught by Ellenby with the combined teachings of Suzuki and Satoh for the purpose of providing various types of compatible communication mediums in an imaging system with the capability of switching between communication mediums for communication managing.

Regarding claims 32-35 and 47-57, as indicated above, Suzuki discloses (Abstract, Figs. 20a & 20b, col. 18, line 8 thru col. 19, line 11) a Image data apparatus that consist of multiple interfaces, control unit, mode switch whereby the switching mode switches between various interfaces, thereby when one interface is selected, its mode is active and the over interfaces are in a standby (passive) mode. Suzuki is silent on interfaces being associated with communication standards and a first/second interface. In analogous art, Satoh discloses (Abstract) an electronic imaging apparatus that includes a switch for causing a communication means to start a communication mode, (Fig. 6, col. 9, line 59-col. 10, line 67) a camera that transmits/receives video signals, (col. 4, line 46-64, col. 41, line 65 thru col. 42, line 13) a first/second interface, interface recognition for functioning status of the applied interface and a control means for controlling data, (col. 9, line 59 thru col. 10, line 65) switch used for indicating what mode the camera is

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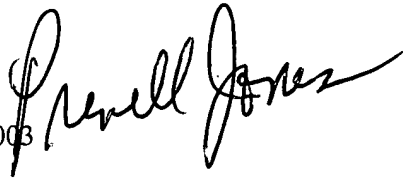
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell Jones whose telephone number is (703) 305-0630. The examiner can normally be reached on Monday thru Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Prenell Jones

February 4, 2003

A handwritten signature in black ink, appearing to read "Prenell Jones", written over the typed name and date.